

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CRIMINAL DOCKET FOR CASE #: 1:24-mj-00191-SH All Defendants
Internal Use Only**

SA:19-CR-661

Case title: USA v. Garcia-Saucedo

Date Filed: 04/18/2024

Other court case number: 5:19-cr-661(01)FB WDTX, San Antonio Date Terminated: 04/18/2024
Division

Assigned to: Judge Susan Hightower

Defendant (1)

Cesar Fernando Garcia-Saucedo

TERMINATED: 04/18/2024

Pending Counts

Disposition

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

None

Highest Offense Level (Terminated)

None

Complaints

Disposition

Within District Arrest

Plaintiff

USA

represented by **Alan M. Buie**

United States Attorney's Office
Western District of Texas
903 San Jacinto Boulevard, Suite 334
Austin, TX 78701
(512) 370-1242
Fax: 512/916-5854
Email: alan.buie@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Select all / clear	Docket Text
04/18/2024	1	<input checked="" type="checkbox"/>	Arrest - Within District as to Cesar Fernando Garcia-Saucedo for case number 5:19-cr-661(01)FB in our district (San Antonio). (lt) (Entered: 04/18/2024)
04/18/2024	 2	<input checked="" type="checkbox"/>	Minute Entry for proceedings held before Judge Susan Hightower:Initial Appearance as to Cesar Fernando Garcia-Saucedo held on 4/18/2024 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold - ERO.) (lt) (Entered: 04/18/2024)
04/18/2024	 3	<input checked="" type="checkbox"/>	CJA 23 Financial Affidavit by Cesar Fernando Garcia-Saucedo (SEALED pursuant to E-Government Act of 2002). (lt) (Entered: 04/18/2024)
04/18/2024	4	<input checked="" type="checkbox"/>	COMMITMENT TO ANOTHER DIVISION as to Cesar Fernando Garcia-Saucedo. Defendant committed to WDTX, San Antonio Division. Signed by Judge Susan Hightower. (lt) (Entered: 04/18/2024)
04/18/2024			Proceedings Complete in Arresting Division as to Cesar Fernando Garcia-Saucedo (5:19-cr-661(01)FB). Documents to be downloaded by Charging Division. (lt) (Entered: 04/18/2024)

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FILED UNITED STATES DISTRICT COURT FILED

April 18, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

for

FEB 06 2020

BY: LRT
DEPUTYWESTERN DISTRICT OF TEXASCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK**Petition for Warrant or Summons for Offender Under Supervision****Austin Case Number 1:24-mj-00191-SH**Name of Offender: Cesar Fernando Garcia-Saucedo Case Number: 5:19CR-661(01)FBName of Sentencing Judicial Officer: Honorable Fred Biery, United States District JudgeDate of Original Sentence: October 9, 2019Original Offense: Illegal Re-entry Into the United States, 8 U.S.C. § 1326(a)Original Sentence: Time Served (61 days) followed by one year of supervised release; SA remittedType of Supervision: Supervised Release Date Supervision Commenced: October 9, 2019Assistant U.S. Attorney: Brian Nowinski Defense Attorney: Adam L. Kobs**PREVIOUS COURT ACTION**

None.

PETITIONING THE COURT

- To issue a warrant
 To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. **Mandatory Condition:** "The defendant shall not commit another federal, state, or local crime during the term of supervision."

On December 21, 2019, the defendant was arrested by the San Marcos, Texas Police Department and charged with Assault Causing Bodily Injury. The arrest report reflects the defendant and his brother-in-law, Santiago Jimmy Narro, were both arrested after they were involved in a physical altercation causing minor and visible injuries to each other. The report further indicates officers smelled a strong odor of alcohol emitting from the defendant's person. When Mr. Narro was questioned, he told officers the defendant was extremely intoxicated and a brawl ensued after Mr. Narro attempted to prevent the defendant from departing the area in said state.

The defendant was transported to the Hays County Jail, but was released to immigration authorities the following day. According to the Comal County Clerks Office, this case is pending. Immigration authorities advised the defendant was deported on January 7, 2020.

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2.

Standard Condition: "If the defendant is excluded, deported, or removed upon release on probation or supervised release, the term of supervision shall be non-reporting term of probation or supervised release. The defendant shall not illegally re-enter the United States. If the defendant is released from confinement or not deported, or lawfully re-enters the United States during the term of probation or supervised release, the defendant shall immediately report to the nearest U.S. Probation Officer."

Special Condition: "The defendant shall not illegally reenter the United States. If the defendant lawfully reenters the United States during the term of probation or supervised release, the defendant shall immediately report in person to the nearest U.S. Probation Office."

On December 21, 2019, the defendant was found in the United States illegally in violation of the standard and special conditions imposed by the Court.

U.S. Probation Officer Recommendation: The defendant's guideline imprisonment range in this case was 2 to 8 months. He has various misdemeanor convictions for offenses including assault, criminal trespass, evading arrest, and theft. In the instant offense, he was sentenced to the low end of his guideline range and was deported on October 9, 2019. He was found in the United States and arrested approximately two months after being deported. The defendant continues to illegally return to the United States and commit additional crimes despite being judicially warned not to return and without proper approval. It is respectfully recommended a warrant be issued and that a hearing be held to show cause why the offender's supervised release should not be revoked.

- The term of supervision should be
 - revoked. (Maximum penalty: 1 year imprisonment; 1 year supervised release; and payment of any unsatisfied monetary sanction previously imposed)
 - extended for years, for a total term of years.
- The conditions of supervision should be modified as follows:

Approved:

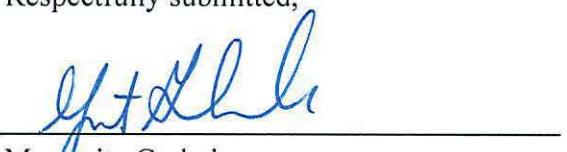


Ryan W. Kirk
Supervising U.S. Probation Officer
Telephone: (210) 472-6590, Ext. 5338

cc: Brian Nowinski
Assistant U.S. Attorney

Brenda Trejo-Olivarri
Assistant Deputy Chief U.S. Probation Officer

Respectfully submitted,



Margarita Garbalena
Senior U.S. Probation Officer
Telephone: (210) 472-6590, Ext. 5375
Date: February 3, 2020

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THE COURT ORDERS:

- No action.
 The issuance of a warrant.
 The issuance of a summons.
 Other

*Please advise if there is
a new 1326 indictment.*

Fred Biery
Honorable Fred Biery
United States District Judge

2/6/20
Date

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.
 Cesar Fernando Garcia-Saucedo) Case No. SA-19-CR-661-FB
 a/k/a Cesar Fernando Garcia)
 Cesar Garcia, Cesar F. Garcia,)
 Cesar Garcia-Saucedo)
 Cesar Fernando Saucedo-Garcia)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) Cesar Fernando Garcia-Saucedo, a/k/a (See Above),
 who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

See attached petition

Date: 02/07/2020

 Issuing officer's signature
City and state: San Antonio, Texas

Monica Granados-Ramos, Deputy Clerk

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

United States of America

Criminal No.: **AU:24-M-00191(1)**

v.

(1) Cesar Fernando Garcia-Saucedo

Defendant

Date Appeared: April 18, 2024

Time: 2:22PM - 2:29PM (7 minutes)

**INITIAL APPEARANCE ON PETITION OF
REVOKE SUPERVISED RELEASE**

1. Petition Filed	<u>2/7/2020</u> <i>Date</i>	Warrant Issued:	<u>2/7/2020</u> <i>Date</i>
Appeared on Summons / Arrested	<u>April 18, 2024</u> <i>Date</i>	Agency:	<u>USMS</u> <i>Agency</i>
2. COURT PERSONNEL:		3. APPEARANCES:	
U.S. Magistrate Judge:	<u>SUSAN HIGHTOWER</u>	AUSA:	<u>N/A</u>
Courtroom Deputy:	<u>Kieshonda Taylor</u>	DEFT:	<u>Jesus Salinas</u>
Court Reporter:	<u>FTR Gold - ERO</u>		
Interpreter:	<u>N/A</u>		
4. PROCEEDINGS:			
a. Age	<u>28</u>	Education	<u>11th grade</u>
b. Defendant understands proceedings and is mentally competent.	<input type="checkbox"/> Male		
c. Defendant is informed of constitutional rights.	<input type="checkbox"/> Y		
d. Defendant understands charges.	<input type="checkbox"/> Y		
e. Defendant informed of right to legal counsel.	<input type="checkbox"/> Y		
1) Defendant waives counsel.	<input type="checkbox"/>		
2) Defendant intends to retain counsel.	<input type="checkbox"/>		
3) Defendant has retained counsel:	<input type="checkbox"/>		
	Phone No.: _____		
X 4) Defendant requests appointment of counsel.	<input type="checkbox"/>		
	Defendant HAS NOT completed the CJA23 financial affidavit.		
	Court will appoint counsel in the interest of justice based on defendant's verbal accounting of his current financial status.		
<input type="checkbox"/> X	Defendant HAS completed the CJA23 financial affidavit and the Court will appoint counsel because:		
	<input type="checkbox"/> The defendant is indigent at this time.		
	<input type="checkbox"/> Even though the defendant is not indigent, counsel will be appointed in the interests of justice.		
	<input type="checkbox"/> The Court finds that the defendant is NOT eligible and denies request.		
f. Preliminary / Final Revocation Hearing set for	<u>Thursday, May 2nd in San Antonio before Judge Chestney</u>		

5. OTHER: _____

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

United States of America §
§
vs. § NO: AU:24-M -00191(1)
§
§ (1) Cesar Fernando Garcia-Saucedo § Charging District's
§ Case No. 5:19-cr-661(01)FB

COMMITMENT TO ANOTHER DIVISION

The defendant has been ordered to appear in the Western District of Texas, San Antonio.

The defendant may need an interpreter for this language: _____.

The defendant: will retain an attorney.

is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

04/18/2024

SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE